

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF GEORGIA  
SAVANNAH DIVISION**

JEFFREY ALLMOND, JR.,	)	
	)	
Movant,	)	
	)	
v.	)	CV423-149
	)	CR418-268
UNITED STATES OF	)	
AMERICA,	)	
	)	
Respondent.	)	

**ORDER**

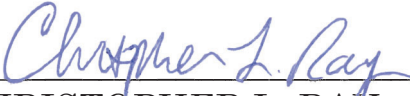
Jeffrey Allmond, Jr. moves under 28 U.S.C. § 2255 to vacate, set aside, or correct his federal sentence. CR418-268, doc. 132; *see United States v. Almand*, 992 F.2d 316, 317 (11th Cir. 1993) (individuals challenging the validity of any sentence, including those imposed for revocation of supervised release, must utilize § 2255). The Court **DIRECTS** the Government to respond within ninety days from the date of Allmond’s filing his Amended Motion, as directed below. 28 U.S.C. § 2255; Rule 4(b), Rules Governing Section 2255 Proceedings.

Allmond’s Motion was not filed using the standard form provided for § 2255 Motions. *See* CR418-268, doc. 132. The Rules Governing Section 2255 Proceedings require that “[t]he motion must substantially

follow . . . the form appended to these rules . . . .” Rule 2(c), Rules Governing Section 2255 Proceedings. The Advisory Committee Notes instruct that “the better procedure [is] to . . . require the moving party to submit a corrected motion that conforms to [the Rule].” Rule 2, Rules Governing Section 2255 Proceedings, advisory committee note to 2004 amendments. Allmond is, therefore, **DIRECTED** to submit his Amended Motion, using the standard form, no later than June 22, 2023. The Clerk is **DIRECTED** to enclose a blank copy of Form AO 243 (Motion to Vacate / Set Aside Sentence (Motion Under 28 U.S.C. § 2255)) with the service copy of this Order for Allmond’s convenience. Allmond is advised that the Amended Motion will become the sole operative pleading and only those claims listed in it will be considered by the Court. *See, e.g., Davenport v. United States*, 217 F.3d 1341 (11th Cir. 2000) (applying Fed. R. Civ. P. 15 to amendment of § 2255 motion); *see also, e.g., Lowery v. Ala. Power Co.*, 483 F.3d 1184, 1219 (11th Cir. 2007). Allmond is further advised that failure to comply with the Court’s instructions may result in a recommendation that his Motion be dismissed. *See* Fed. R. Civ. P. 41(b); *Hawthorne v. United States*, 2022 WL 3099271, at \*2 (11th Cir.

Aug. 4, 2022) (affirming Rule 41(b) dismissal where § 2255 movant failed to file amended motion as directed).

**SO ORDERED**, this 8th day of June, 2023.

  
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CHRISTOPHER L. RAY  
UNITED STATES MAGISTRATE JUDGE  
SOUTHERN DISTRICT OF GEORGIA